

## Senate Resolution 1027

By: Senators Wiles of the 37th, Harp of the 29th, Hamrick of the 30th, Balfour of the 9th and Adelman of the 42nd

**ADOPTED SENATE****A RESOLUTION**

1 Creating the Senate Study Committee on Court Surcharges and Additional Fines; and for  
2 other purposes.

3 WHEREAS, a wide array of additional fees, surcharges, fines, and other charges have been  
4 added to filing fees for civil actions and to fines for criminal actions in the various courts of  
5 our state; and

6 WHEREAS, there are over 20 different additional fees, surcharges, fines, and other charges  
7 currently in place in Georgia and each year new proposals are presented for even more such  
8 additional fees, surcharges, fines, and other charges; and

9 WHEREAS, the amount of these additional fees, surcharges, fines, and other charges have  
10 begun to overtake and surpass the basic fees and fines for which they were originally  
11 designed to be supplementary charges; and

12 WHEREAS, while the concept of having those who create a problem, either directly or  
13 indirectly, pay for the amelioration of such problem instead of spreading the costs of such  
14 problem on the general taxpayers is a good concept, there may be a point at which too much  
15 of the cost is placed on these basic fees and fines, making such fees and fines oppressive and  
16 unduly harsh and, in some cases, denying citizens access to justice.

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that there is created the Senate  
18 Study Committee on Court Surcharges and Additional Fines to be composed of five members  
19 of the Senate to be appointed by the Senate Committee on Assignments, which shall  
20 designate one member as the chairperson of the committee. The committee shall meet at the  
21 call of the chairperson.

1 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,  
2 needs, issues, and problems mentioned above or related thereto and recommend any actions  
3 or legislation which the committee deems necessary or appropriate. In particular, the  
4 committee shall study the use of additional fees, surcharges, fines, and other charges in the  
5 court system and determine how such charges should be properly used and if such charges  
6 are becoming unduly harsh and oppressive and are denying or deterring citizens from  
7 accessing the courts. The committee may conduct such meetings at such places and at such  
8 times as it may deem necessary or convenient to enable it to exercise fully and effectively its  
9 powers, perform its duties, and accomplish the objectives and purposes of this resolution.  
10 The members of the committee shall receive the allowances authorized for legislative  
11 members of interim legislative committees but shall receive the same for not more than five  
12 days unless additional days are authorized. The funds necessary to carry out the provisions  
13 of this resolution shall come from the funds appropriated to the Senate. In the event the  
14 committee makes a report of its findings and recommendations, with suggestions for  
15 proposed legislation, if any, such report shall be made on or before December 31, 2006. The  
16 committee shall stand abolished on December 31, 2006.